

# Nixon Refuses to Comply With House Subpoenas

## He Says Inquiry Has 'Full Story'

Washington

President Nixon said yesterday he will refuse to comply with two House Judiciary committee subpoenas and he notified the committee that he also will not consider any further subpoenas in order to protect the presidency.

His response, which also covered all pending written requests for evidence, left the committee with the option of citing the President's defiance in articles of impeachment.

As the deadline passed yesterday for complying with a subpoena for 11 taped conversations and another for appointment diaries, Mr. Nixon, in a letter to chairman Peter W. Rodino Jr. (Dem-N.J.), said the committee already "has the full story of Watergate, insofar as it relates to presidential knowledge and presidential actions."

"It is clear that the continued succession of demands for additional presidential conversations has become a never-ending process," the President wrote, "and that to continue providing these conversations in response to the constantly escalating requests would constitute such a massive invasion into the confidentiality of presidential conversations that the institution of the presidency itself would be fatally compromised."

Reaction of Republicans and Democrats on the committee to Mr. Nixon's action ranged from disappointment to anger.

Representative Thomas F. Railsback (Rep-Ill.) said the President is "hurting himself" and added, "I don't see how we can vote to exonerate the President unless he gives us all the information we need."

Representative Hamilton Fish (Rep-N.Y.) said, "We have a duty to protect the presidency, too."

Representative George E.

From Page 1

Danielson (Dem-L.A.) said, "He's defying the whole Congress, the whole Constitution, the American people."

Danielson said committee members "could not in good conscience draw anything other than an inference" that the President is hiding incriminating evidence.

Representative Don Edwards (Dem-San Jose) said the President is "delaying, obstructing, trying to make our job as difficult as possible."

He said Mr. Nixon's claim that compliance with the committee's subpoenas and requests for information would undermine the presidency is "nonsense."

John M. Doar, special counsel for the committee's impeachment inquiry, has advised members that the rule of law in instances where an accused withholds evidence is to draw an inference adverse to the accused.

For example, Mr. Nixon has refused to relinquish the tape of a March 17, 1973, presidential conversation in which, according to committee evidence, he allegedly discussed the involvement of White House personnel in the Watergate coverup.

Mr. Nixon has said he first learned of the coverup four days later. The committee could cite the discussion in articles of impeachment, referring to both its evidence

and the fact that Mr. Nixon refused to yield the tape.

Mr. Nixon's only delivery of evidence in response to a committee subpoena was on April 30 when he released edited transcripts of 31 subpoenaed conversations plus 15 other conversations. The committee, which had issued a subpoena for tapes and other records of 42 conversations, notified Mr. Nixon that he had failed to comply with the subpoena.

In addition to the letter from the President, the committee received two letters from his chief impeachment attorney, James D. St. Clair, saying that with one minor exception Mr. Nixon would not relinquish evidence sought in the committee's investigation of the ITT anti-trust settlement and dairy industry campaign contributions.

The one exception, St. Clair said, was a requested tape of an April 4, 1972, conversation involving Mr. Nixon, former White House chief of staff H. R. Halde- man and former Attorney General John N. Mitchell.

St. Clair said he will review this tape to determine if it covers material related to the ITT inquiry.

If it does, St. Clair said, he will send a transcript — but not the tape — of relevant

portions of the conversation within a few days.

In the letters, St. Clair said Mr. Nixon had issued definitive white papers on both the ITT and dairy matters and that these should satisfy the committee.

Despite Mr. Nixon's insistence that he will not comply,

the committee is expected to issue subpoenas for additional evidence it has requested — tapes and records of 66 conversations related to Watergate (20 related to ITT and 46 related to the dairy industry).

Mr. Nixon ended his letter by reiterating that if the committee desires further information from him about any of the conversations or other matters related to the inquiry, "I stand ready to answer under oath, pertinent written interrogatories, and to be interviewed under oath by you and the ranking minority member at the White House."

Although Rodino and Representative Edward Hutchinson (Rep-Mich.) are not expected to interview the President, the committee has indicated it will ask Mr. Nixon to answer written questions about his income taxes.

Some of Mr. Nixon's staunchest supporters on the committee reacted with dismay to his action.

Representative Larry Hogan (Rep-Md.) said it "contributes to an inference of impeachable offense."

Hogan said he would support additional subpoenas because the committee "has a responsibility to get the facts."

Representatives Joseph Maraziti (Rep-N.J.) and Robert McClory (Rep-Ill.) said the committee is entitled to all the evidence it needs from the White House.

"It was a mistake on the President's part," said McClory, the second ranking minority member. "we're all disappointed by the lack of cooperation."

Los Angeles Times